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DEPR Ref

Attorney Docket No. 60,469-031

307

PATENT

OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gieras, et al

Serial No.: 09/740,231

Filed: 12/18/00

Group Art Unit: 2834

Examiner: Elkassabgi, Heba

Title: METHOD OF MAKING TRANSFER FLUX MOTORS

REQUEST FOR REFUND

Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests a refund of the extension of time fee charged against Deposit Account No. 50-1482 on September 15, 2003. No extension fee was due. The Final Office Action was mailed on April 21, 2003. On June 23, 2003, Applicant responded to the Office Action. A copy of that Response with a conformation of PTO receipt is attached.

Apparently, Applicant's Response After Final was not properly handled at the Patent Office. A duplicate copy was submitted to the Examiner on July 24, 2003. That duplicate copy was then entered as the Amendment After Final.

Subsequently, Applicant filed a Notice of Appeal that was submitted on September 11, 2003, copy attached. That notice was entered at the Patent Office on September 15.

The Advisory Action was not mailed until September 15, 2003.

Because Applicant filed a Response to the Final Office Action on June 23, 2003, which was within two months of the mailing date of the Final Office Action, any extension fee must be

Adjustment date: 12/05/2003 EEKUBAY1
10/09/2003 DEVANS 00000006 501482 09740231
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09740231

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2/05/2003 EEKUBAY1 00000013

410.00 DA

1 FC:1252

calculated from the mailing date of the Advisory Action. 37 CFR 1.136(a). The Notice of Appeal in this case was submitted on September 11, 2003, which was before the mailing date of the Advisory Action. Accordingly, no extension fee is due.

Applicant respectfully requests that the extension fee in the amount of \$420.00 be credited to Deposit Account No. 50-1482.

Respectfully submitted,

CARLSON, GASKEY & OLDS

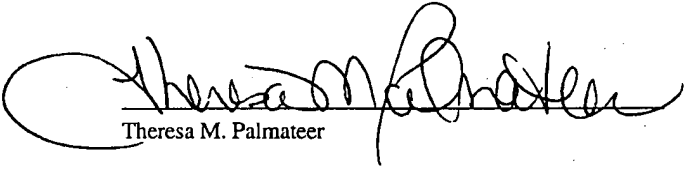
By: 

David J. Gaskey
Registration No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: November 21, 2003

CERTIFICATE OF MAILING

I hereby certify that the enclosed **Request for Refund** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 21, 2003.


Theresa M. Palmateer

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60,469-031

PATENT MAINTENANCE
DIVISION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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US PATENT & TRADEMARK
OFFICE

Applicant: Gieras, et al
Serial No.: 09/740,231
Filed: 12/18/00
Group Art Unit: 2834
Examiner: Elkassabgi, Heba
Title: METHOD OF MAKING TRANSFER FLUX MOTORS

NOTICE OF APPEAL

Dear Sir:

Applicant hereby appeals the final rejection of April 24, 2003. A Credit Card Payment Form authorizing the amount of \$320.00 is enclosed. Applicant believes that no extension fees are due. However, if any additional fees are necessary, you are hereby authorized to charge deposit account number 50-1482 in the name of Carlson, Gaskey & Olds.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

David J. Gaskey
Registration No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: September 11, 2003

60,469-031

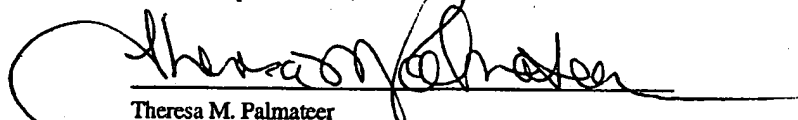
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DIVISION

CERTIFICATE OF MAILING

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Theresa M. Palmateer

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06/23/2003 MON 10:27 FAX 12489888363 Carlson, Gaskay & Olds

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gieras, et al
Serial No.: 09/740,231
Filed: 12/18/00
Group Art Unit: 2834
Examiner: Elkassabgi, Hoba
Title: METHOD OF MAKING TRANSFER FLUX MOTORS

RESPONSE

Box AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action mailed on April 24, 2003. Please amend the application as follows:

Received from <12489888363> at 6/23/03 10:25:51 AM [Eastern Daylight Time]

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031



60,469-031

OT-4791

PATENT MAINTENANCE
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gieras, et al

2003 DEC -2 PM 2:30

Serial No.: 09/740,231

US PATENT & TRADEMARK
OFFICE

Filed: 12/18/00

Group Art Unit: 2834

Examiner: Elkassabgi, Heba

Title: METHOD OF MAKING TRANSFER FLUX MOTORS

RESPONSE

Box AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action mailed on April 24, 2003. Please amend the application as follows:



60,469-031

OT-4791

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IN THE CLAIMS

1-9. (Cancelled)

10. (Currently Amended) A motor assembly comprising:

a stator having first and second stator core portions and a coil nestingly supported between the core portions such that at least part of axial surfaces on the coil are covered by the core portions;

a rotor having a core and a plurality of magnets, the stator and rotor being supported to allow for relative rotary motion between the rotor and the stator such that the plurality of magnets of the rotor interact with the stator core portions during such relative rotary motion.

11. (Original) The assembly of claim 10, including two support members that enclose at least part of outward axial surfaces of the core portions.

12. (Original) The assembly of claim 11, including a plurality of magnetic core members supported by the support members.

13. (Original) The assembly of claim 12, including a plurality of slots on the support members and wherein the magnetic core members are received in corresponding ones of the slots.

14. (Original) The assembly of claim 10, wherein each stator core portion comprises sintered powder material.

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DIVISION

15. (Original) The assembly of claim 10, wherein each stator core portion comprises a laminated ring.
16. (Previously Amended) The assembly of claim 10, wherein each stator core portion includes a generally annular ring and a plurality of circumferentially spaced projections that project radially inward from the ring.
17. (Original) The assembly of claim 16, including two support members with a plurality of radially inwardly projecting spacer portions and wherein the stator core portion projections and the spacer portions are interspersed such that outward axial surfaces on the core projections are not covered by the support members.
18. (Previously Amended) The assembly of claim 17, including a plurality of slots in the support members and at least one magnetic core member inserted into each of at least some of the slots.
19. (Previously Amended) The assembly of claim 10, including a bonding agent on the stator that bonds the stator core portions together.
20. (Previously Added) The assembly of claim 10, wherein the stator coil axial surfaces are completely covered by the stator core portions.

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21. (Previously Added) The assembly of claim 10, wherein the stator coil comprises a prewound coil that is inserted between the stator core portions.

22. (Previously Added) A motor assembly, comprising:

a stator having first and second stator core portions and a coil supported between the core portions such that at least part of the axial surfaces on the coil are covered by the core portions, each stator core portion including a generally annular ring and a plurality of circumferentially spaced projections that project radially inward from the ring, and including two support members with a plurality of radially inwardly projecting spacer portions, the stator core portion projections and the spacer portions being interspersed such that outward axial surfaces on the core projections are not covered by the support members; and

a rotor having a core and a plurality of magnets, the stator and rotor being supported for relative rotary motion between the rotor and the stator such that the plurality of magnets of the rotor interact with the stator core portions during such relative rotary motion.

23. (Previously Added) The assembly of claim 22, including a plurality of slots in the support members and at least one magnetic core member inserted into each of at least some of the slots.

REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action. Claim 10 is amended above in response to the objection to that claim raised in the Office Action. Applicant thanks the Examiner for the indication of allowed and allowable subject matter. Claims 10-23 are still pending in this application. Applicant respectfully requests reconsideration of this application.

Claim 19 was rejected under 35 U.S.C. §112. Applicant respectfully submits that the bonding agent is appropriately recited in the claim. An example bonding agent is disclosed on page 6, line 1, which is described as "an epoxy resin." As also stated in the specification, other bonding methods may be used.

Applicant respectfully submits that claim 19 is clear.

Claims 10 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by *Lange*. Applicant respectfully traverses the rejection. Applicant respectfully disagrees with the Examiner's interpretation of *Lange*. Figure 1 does not disclose core portions (6 and 7) in which a coil winding (8) is situated, as suggested by the Examiner. Instead, the portions 6 are soft iron elements that are part of the pole body structures 4 of the motor shown in Figure 1 of the *Lange* reference. The end ring 8 is not a coil and is not nested between the elements 6 and 7. The element 7 is an intermediate ring between the soft iron elements 6 and the permanent magnets 5 of that motor design. Therefore, there is no anticipation.

Claims 11, 12, 14, 15 and 21 were rejected under 35 U.S.C. §103 based upon *Lange* combined with at least one other reference. The *Lange* reference does not disclose what the Examiner states in the Office Action and none of those claims can be considered obvious. Even if the proposed combinations could be made, the result is not the same as the claimed invention.

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Applicant respectfully submits that this case is in condition for allowance. If the

Examiner believes that a telephone conference will facilitate clearing up any remaining

ambiguity in the Examiner's understanding of claims 10 or 19, Applicant's representative will be

happy to discuss any such issues and can be contacted at the telephone number indicated below.

Applicant respectfully requests a Notice of Allowance as soon as possible as this application has now been pending for some time.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

David J. Gaskey
Registration No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: June 23, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to Examiner Heba Elkassabgi, Patent and Trademark Office (Fax No. (703) 872-9319 on June 23, 2003.


David J. Gaskey



*** TX REPORT ***
*** ** *****

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60,469-031
OT-4791

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RESPONSE

Box AF
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Dear Sir:

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